

WHITE MAN  
OSTERMAN  
& HANNA LLP

Attorneys at Law  
[www.woh.com](http://www.woh.com)

One Commerce Plaza  
Albany, New York 12260  
518.487.7600 phone  
518.487.7777 fax

Heather D. Diddel  
Partner  
518.487.7703 phone  
[hdiddel@woh.com](mailto:hdiddel@woh.com)

**HELD ENDORSED**

VIA FACSIMILE and FEDERAL EXPRESS

The Honorable Lisa Margaret Smith  
United States Magistrate Judge  
Southern District of New York  
United States Courthouse  
1300 Quarropas St., Room 428  
White Plains, New York 10601  
Attn: Mr. James Galvin

Re: Wasseff v. Health Research, Inc.  
08 CV 00289 (CLB) (LMS)

Dear Magistrate Judge Smith:

We represent defendant Health Research, Inc. ("HRI") in the above-referenced action. I am writing to request that HRI's time to reply to plaintiff's answering papers to defendants' motions to dismiss be extended from July 31, 2008 to August 7, 2008. The extension is needed to adequately reply to plaintiff's answering papers and to ensure that my client has adequate time to review the reply papers. We respectfully submit that our request for a one week extension will not unduly prejudice or delay the progress of this case. In speaking with the Court earlier today, it is our understanding that a court conference has been set for Monday, September 8, 2008 at noon.

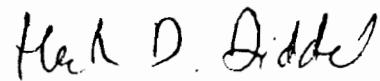
Prior to making this request to the Court, I spoke with plaintiff Sameh Wassef to request his consent. Mr. Wassef's response to my request was, "Since they [defendants] acted towards me as if they are so perfect, why do you need extra time?" After explaining to him that the request for an extension was necessitated by my work schedule, he refused and said that if we requested an extension from the Court and received one, he would not object.

This is HRI's first request for an extension in this litigation.

- 2 -

We regret having to come to the Court with this request which would ordinarily be granted as a matter of professional or personal courtesy. We very much appreciate the Court's assistance.

Respectfully submitted,



Heather D. Diddel

cc: George A. Alvarez, Esq.  
Mr. Sameh Kamel Waseff